

To: Guy, Kerry[Guy.Kerry@epa.gov]; Way, Steven[way.steven@epa.gov]
From: Ferguson, Ralph
Sent: Wed 9/23/2015 2:07:22 PM
Subject: Fwd: Gold King Mine Spill Recovery Act of 2015

FYI.

Ralph Ferguson
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Begin forwarded message:

From: "Bielenberg, Ben" <Bielenberg.Ben@epa.gov>
Date: September 22, 2015 at 2:21:40 PM MDT
To: "Poetter, Joe" <poetter.joe@epa.gov>, "Ferguson, Ralph" <Ferguson.Ralph@epa.gov>, "Milbeck, Regina" <Milbeck.Regina@epa.gov>
Subject: Fwd: Gold King Mine Spill Recovery Act of 2015

Sent from my iPhone

Begin forwarded message:

From: "Russo, Rebecca" <Russo.Rebecca@epa.gov>
Date: September 22, 2015 at 2:07:16 PM MDT
To: "Bielenberg, Ben" <Bielenberg.Ben@epa.gov>
Subject: Fwd: Gold King Mine Spill Recovery Act of 2015

Sent from my iPhone

Begin forwarded message:

From: "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Date: September 22, 2015 at 1:59:28 PM MDT
To: "Russo, Rebecca" <Russo.Rebecca@epa.gov>
Subject: Gold King Mine Spill Recovery Act of 2015

<http://www.scribd.com/doc/282383444/The-Gold-King-Mine-Spill-Recovery-Act-of-2015>

FOR IMMEDIATE RELEASE: September 22, 2015

Sens. Udall, Heinrich, Bennet, Rep. Luján Introduce Gold King Mine Spill Recovery Act

Bill will hold EPA accountable, ensure New Mexico & Colorado communities get compensation they're owed

WASHINGTON – Today, U.S. Sens. Tom Udall and Martin Heinrich and Rep. Ben Ray Luján of New Mexico, and Sen. Michael Bennet of Colorado, introduced legislation to help the Navajo Nation and communities in Northwestern New Mexico and Southwestern Colorado recover from the Gold King Mine blowout that spilled toxic wastewater into the Animas and San Juan rivers. The Gold King Mine Spill Recovery Act of 2015 will ensure the Environmental Protection Agency (EPA) continues to work with affected communities by requiring the agency to compensate those who were impacted. It also requires the agency to work with the states and Tribes to fund and implement long-term monitoring of water quality from the mine and to identify the risks of future spills by assessing other abandoned mines for cleanup.

“I saw the Gold King Mine spill damage firsthand, and it had a devastating impact on farmers, ranchers and families on the Navajo Nation and across San Juan County,” said Udall, a member of the Senate Committee on Indian Affairs. “The EPA administrator told me in a Senate hearing that she is committed to ensuring there is a smooth claims process for victims and that she will prioritize funding for compensation and water quality monitoring. This bill will hold the EPA to that commitment by ensuring New Mexicans get the compensation they’re owed without unnecessary delay. Our bill also takes action to prevent a mistake like this from happening again — a first step toward finally reforming our outdated mining laws.”

“Families in northwestern New Mexico and on the Navajo Nation deserve to be fairly and fully compensated for the damages incurred after the Gold King Mine spill,” **Heinrich said**. “I share the anger and frustration over this terrible accident and have demanded that the EPA act with urgency to protect our communities and repair the damage inflicted on the watershed. Farmers, ranchers, and livestock owners have been hit especially hard after struggling to protect their crops from contaminated wastewater. This bill will ensure the claims and compensation process is done expeditiously, and will help give those who were affected the certainty they need to recover and protect their livelihoods. Passing long overdue reforms to our federal mining laws is also critical if we want to prevent future disasters like the Gold King spill and protect the health of our most precious resource: water.”

“The effects of the Gold King Mine spill resonated far beyond the banks of the Animas River in southwest Colorado,” **Bennet said**. “In addition to the acid mine drainage that polluted our river, the disaster took its toll on businesses throughout the region, particularly our recreation and tourism industry. This bill ensures that those businesses, individuals, water districts, farmers, and local and tribal governments will be compensated by the EPA for costs they incurred due to the spill. It also expresses the Sense of Congress that the EPA should prioritize funding for a water treatment plant because acid mine drainage continues to flow into the river. The community deserves a commitment to a solution for this long standing pollution.”

“The Gold King Mine spill has taken a toll on communities in New Mexico and on the Navajo Nation, impacting businesses, farmers, and ranchers,” **Luján said**. “EPA has taken responsibility for the spill and our legislation will hold them accountable for the damage that has been done. By establishing an office within EPA to process and pay claims, it will help make the people of New Mexico and the Navajo Nation whole. The bill also requires EPA to work with state, local, and tribal governments to ensure long-term water quality monitoring that will provide communities with the data needed to protect the health of all those who rely on this water. Finally, with a number of other mines in the region that pose an environmental risk, this bill calls for a much-needed review of abandoned mines, along with a plan for cleanup that includes steps to prevent similar disasters from happening in the future.”

To ensure spill victims can receive compensation for their losses, the bill outlines allowable damages and sets up an Office of Gold King Mine Spill Claims within the EPA to expeditiously carry out the compensation process under the Federal Tort Claims Act. Property, business and financial losses will all be considered for compensation. Additionally, the legislation requires the EPA to monitor water in the Animas and San Juan rivers by working with affected states and Tribes to develop, fund, and implement long-term water quality monitoring.

The bill also takes steps to prevent future similar disasters by requiring the EPA and other relevant agencies to identify the most dangerous abandoned mines across the West and establish a priority plan for cleanup. Prior to any cleanup or remediation in an abandoned mine, agencies will be required to alert nearby communities and develop a contingency plan in event of a blowout.

A detailed summary of the Gold King Mine Spill Recovery Act is available [HERE](#).

Udall and Heinrich also plan to introduce a second bill in response to the spill that would reform the nation's antiquated mining laws, which date back to 1872, to ensure mining companies pay a royalty for the minerals they take from public lands. The royalty — similar to that paid by oil and gas and coal companies — would help pay for abandoned mine cleanup.

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